

MEETING 44 December 11

At a Regular Meeting of the Madison County Board of Supervisors on
December 11, 2007 at 3:00 p.m. in the Madison County Administrative Center
Auditorium:

PRESENT: Eddie Dean, Chairman
James L. Arrington, Vice-Chairman
William L. Crigler, Member
Bob Miller, Member
V. R. Shackelford, III, County Attorney.
Lisa R. Kelley, County Administrator
Jacqueline S. Frye, Secretary

ABSENT: Clark Powers, Member

Chairman, Eddie Dean called the meeting to order and announced that
Clark Powers is absent.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

Don Gore, Resident Engineer, was present and advised that a work session
on the Six Year Road Improvement Plan will be scheduled in the latter part of January or
early February 2008 to discuss specifics of the plan – he advised the same priority order
will be in place as noted on the existing plan but will update the estimated dates on the
plan; he also provided the following report: brush clearing is being done on Route 680;
currently performing more work than anticipated on Turner Drive –he had originally
planned to widen the roadway in a few places; he reported last week’s ice storm was a
surprise to personnel –several traffic accidents were reported as a result of the “quick
freeze” although sand and other chemicals were utilized.

Don Gore advised that Mr. Wayne Sutphin has been hired to fill the
vacancy created by Jimmy Clore’s retirement – Mr. Sutphin will begin his new
assignment on Friday, December 14, 2007.

William L. Crigler asked for an update on Route 702 (Larkin’s Mill
Road).

Lisa Kelley, County Administrator, advised that a pre-ad conference has
been scheduled for Friday, 12/14/07 at 1:00 p.m. – approval has been attained from
environmental and historic resources offices; she advised that relocation of utilities has

also begin; she also stated that Allegheny Power had concerns about whether the work was to be implemented without charge, which will be the case. In closing, she stated there has been no information from Allegheny Power regarding how long the prescriptive easement has been in place at the site.

Don Gore stated he believed that Route 702 was taken into the roadway system by the “Bird Act” in 1932 and is the third or fourth number that has been assigned to the roadway over the years. He stated the utility pole has a date of 1948 inscribed into it; he also advised he investigated the information by utilizing a map dating back to 1932 which shows all roads that were in the system.

Lisa Kelley, County Administrator, stated constant contact has been made with the developer and she has also been given the names of several contractors who might be interested in bid documents; the developer has expressed pleasure that the project is moving forward – she anticipates a bid should be completed by the upcoming week.

Don Gore feels the County should be able to get a decent price for the project – he stated there are several contractors that are anxious to be awarded projects.

IN RE: PAYROLL & CLAIMS

Chairman, Eddie Dean asked if there were any concerns about the Payroll & Claims Report as presented.

Teresa Miller, Finance Director, stated that \$200,000.00 in expenditures is for the Courthouse Project (Phase I) which was anticipated; she advised the County has only used thirty-four percent (34%) of the existing budget.

Chairman, Eddie Dean asked if all repairs to the Kemper Mansion are complete.

Lisa Kelley, County Administrator, advised the roof has been repaired; however, John Hunton, Capital Projects Coordinator is in the process of preparing and RFP to advertise for painting of the Kemper Mansion.

James L. Arrington asked if the roof replacement was within the allocated budgeted amount, to which Lisa Kelley, County Administrator, advised that “it was.”

Lisa Kelley also advised that Phase I of the Courthouse Project has attained substantial completion; however, the electrical contractor and heating/cooling

contractor have a few details to complete but the expenses for the project have been paid out with one final payment and the retain age still needing to be paid – the bulk of the work has been paid for.

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, the warrants issued in satisfaction of payroll for November 2007 (Checks #30110231 through #3011239 and electronic transfer #5) are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Absent

On motion of James L. Arrington, seconded by William L. Crigler, the warrants issued in satisfaction of claims against the County for November 2007 (Checks #10126392 through #10126623) are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Absent

IN RE: SUPPLEMENTAL APPROPRIATIONS FOR DECEMBER 2007

Chairman, Eddie Dean stated the following supplemental appropriations for December 2007 need to be approved by the Board.

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|--|----------------------------------|--|--------------------|
| 1. | Park & Recreation
#5690-71100 | Funds deposited for Youth Sports | \$ 2,485.00 |
| 2. | Park & Recreation
#5690-71100 | Funds Deposited for Health Fitness Programs | \$ 321.80 |
| 3. | Sheriff
#6009-31200 | Insurance Proceeds and \$250.00 Deductible for Wrecked Vehicle | \$ 1,174.77 |
| 4. | Sheriff
#3117-31200 | Donations received from School for Bomb Dog Expenses | \$ 1,150.00 |
| 5. | Road Construction
#8220-41200 | Unbudgeted expenses for Route 702 | \$ 3,205.00 |
| Total General Fund Supplements: | | | \$ 8,336.57 |

Recommendations of County Administrator

1.	School Request	Grant received for Project Graduation 2007 Combined Summer Academy	\$10,635.00
2.	Social Services Request (CSA)	Additional local funding needed to balance FY 2006-2007	\$57,636.19
Total of all Supplements:			<u>\$76,607.76</u>

William L. Crigler asked about the supplement submitted for Route 702 (Larkin's Mills Lane).

Teresa Miller, Finance Director, advised this is a portion of the funds that was in the construction fund.

Lisa Kelley, County Administrator, advised that a Phase I Environmental Assessment needed to be completed and there was a small fee requested by the Virginia Department of Historic Resources to have an assessment completed to determine if there was any endangered species within two (2) miles of the roadway project.

Teresa Miller, Finance Director, stated once the audit is completed, in January 2008, she'd like to take the \$100,000.00 that has been designated for Route 702 and place the funds into a separate fiduciary account and have all bills paid from that particular account.

Lisa Kelley, County Administrator, stated when the bids for the project are received, she will that the \$100,000.00 (minus the expenses) and add funding from revenue sharing and engage the contract for the amount of funding that will be remaining.

Chairman, Eddie Dean asked about the interest being earned on the \$100,000.00, to which Teresa Miller, Finance Director, stated the interest would be added into the General Fund as this belongs to the County.

After discussion, on motion of William L. Crigler, seconded by James L. Arrington, the aforementioned supplemental appropriations for December 2007 totaling \$76,607.76, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye

Clark Powers

Absent

William L. Crigler asked about the School Request and Social services request, to which Teresa Miller, Finance Director, advised this funding was for a grant that needed to be supplemented. Additionally, she also explained the request by Social Services was for CSA.

Teresa Miller, Finance Director, also advised that all budget requests have been mailed out – the budgetary process will be underway for the next two (2) weeks.

James L. Arrington asked about the contribution to the Madison Free Clinic, to which Teresa Miller, Finance Director, advised the contribution is biennial and is made in December and June of each year.

IN RE: MADISON COUNTY SCHOOLS

Dr. Brenda Tanner, Superintendent, was present and stated the School Board members approved the budget schedule – a public hearing has been scheduled for January 30, 2008 at 7:30 p.m. at the Madison County High School auditorium – a copy of the school's budget calendar will be given to Lisa Kelley, County Administrator.

Dr. Tanner also advised that information received by her office has received information on the composite index – she explained there has been a change in the composite index (changed from .4362 to .4883); she advised she will be attending a meeting in Richmond, Virginia scheduled for 12/19/07 to attain information on the governor's proposal. She also advised there has been much discussion about “re-benchmarking” at the State level with regard to the standards of quality which might mean requirements must be raised; additional issues have been discussed at the state level with regard to additional positions which if included in the “re-benchmarking” will mean the County will be required to have those positions (i.e. Assistant Principal at any school with (400) students [currently not hired at the Madison Primary and Waverly Yowell Elementary School]. Although these positions have been proposed under the standards of quality, the School system has not been required to provide said positions as there has been no funding from the State for these positions; however, no additional information will be provided until the upcoming week.

Dr. Tanner stated the final day of school for the year will be December 20, 2007 and will be closed for students from December 21, 2007 until Wednesday, January 2, 2007.

In closing, Dr. Tanner provided a copy of the school's December events to the Board members as requested; she also thanked the Board for approving the grant funding.

IN RE: MADISON FACILITIES & MAINTENANCE:

Chairman, Eddie Dean stated that Ross, Shifflett, Director of Facilities & Maintenance, will be absent today due to illness; however, a report for his department has been provided.

IN RE: DEPARTMENT OF SOCIAL SERVICES

Chairman, Eddie Dean advised that Nan Coppedge, Director of Social Services, is absent today due to illness.

IN RE: MADISON CHAMBER OF COMMERCE

Tracey Williams, Tourism Coordinator, was present and provided the following report: the banquet was a success; she stated a schedule of events has been sent out (to include Piedmont Virginia Magazine and Cooperative Living; also advised Toys for Tots event is underway – items can be placed in the “Polly” stocking at the Madison Arcade, Visitors Center or Shenandoah Hills (open [7] days a week) – can also call for a list of specific items that are needed; only (42) visitors in November and (4,200) hits during the past month; also advised the Christmas Tree Lighting and Christmas Parade went well; attending Regional Tourism Committee meeting at the Regional Commission; on Friday, will be attending the Journey Through Hallowed Ground meeting in Leesburg, Virginia; currently working on 07-08 budget; also advised that Madison Inn is closed – also found that Jill's Country Treasures is temporarily moving to Gordonsville, Virginia until another location can be found in Madison; also, the Last Nickel is officially open.

IN RE: MADISON E-911 CENTER

Robert Finks, E-911 Coordinator, provided the following report for the month of November: (505) 911 calls; (324) were from home phones; (181) from cell phone; (22) hang-ups; (3) misdials; (2) open lines; and (24) alarm calls.

Robert Finks stated he met with the engineer from Motorola – they are looking at the County's radio system and have made an initial survey – will provide recommendations shortly.

IN RE: MADISON SHERIFF'S OFFICE

Robert Finks, E-911 Coordinator, stated that Erik Weaver, Sheriff, would be unable to attend; therefore, he provided the following report for the month of November 2007:

Total calls: (874)

Criminal arrest: (62)

Civil process served: (318)

Court days: (13)

Animal Control Calls: (86)

IN RE: EMERGENCY MANAGEMENT SERVICES

Carl Pumphrey, EMS Coordinator, provided a report of all activities for the month of November 2007; he also stated the Department of Homeland Security intends to host the next exercise; he advised that he also attended a recent meeting in Fredericksburg, Virginia with William L. Crigler, Lisa Kelley, and Erik Weaver.

IN RE: MADISON EMERGENCY MEDICAL SERVICES

Lewis Jenkins, EMS Coordinator, provided the following report for November 2007:

1. Total Calls toned: 106
2. Total calls handled: 94
3. Total calls no response (12) [(9) Greene; (2) Orange; and (1) Culpeper) calls for mutual aid assistance were not answered due to no available staff

4. Average in-County response time to the scene: (9) minutes
5. Night coverage: Eleven hours of night coverage on (16) nights
6. Total calls handled: 15

Lewis Jenkins advised that Kevin Hertzler completed the Advanced Medical training course; also stated that Dr. Brady (OMD) and Tom Joyce from Orange, Virginia presented an excellent lecture on treating seizures this month; Andy Anderson has taken a new job with the MedStar helicopter – will remain on part-time employee list; also stated he is planning an interview w/testing on January 8, 2008 beginning at 9:00 a.m. – asked Madison County Board of Supervisors to feel free to attend to see the hiring process.

In closing, Lewis Jenkins advised the Madison County Volunteer Rescue Squad had their meeting the past evening and Dave Mickelberry has been voted as the President of the organization.

William L. Crigler asked Lewis Jenkins to check with Donna Burns about the budget request.

Bob Miller asked if the details were in place for the aerial mapping topography techniques; Lewis Jenkins stated there are a couple of plug-ins that still need to be in place – will be looking to attain a license for the County to attain the plug-in; he also explained the aerial mapping techniques that are being investigated which will assist EMS and other County rescue and emergency personnel.

IN RE: MADISON VOLUNTEER RESCUE SQUAD

William L. Crigler provided the following report for the month of November 2007:

42 (includes [1] public service)
42 total calls

IN RE: PUBLIC COMMENT

Chairman, Eddie Dean opened the floor for public comment and there was none.

DISCUSSION:

WAIVER OF ZONING/BUILDING CODE FEES (Fire Department Storage Bldg.)

Lisa Kelley, County Administrator, advised that she received an email from Troy Coppedge, President of the Madison County Volunteer Fire Company, indicating they are preparing to build a storage building adjacent to the existing parking lot. Therefore, he is requesting the Madison County Board of Supervisors waive all fees associated with the site plan, building permit and zoning.

Lisa Kelley, County Administrator, stated the Board has waived fees for public service entities in the past (i.e. Madison County Library) and recommends the Board approve said request.

After discussion, on motion of William L. Crigler, seconded by James L. Arrington, the Board approved the waiver of all fees associated with zoning, building permit and site plan for the aforementioned request by the Madison County Volunteer Fire Company, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Absent

REQUEST FOR SEVENOAKS FOR EXTENSION OF SITE PLAN APPROVAL

Lisa Kelley, County Administrator, stated a letter was received from Karl Hohenstein, Maintenance Manager of the Sevenoaks Pathwork Center requesting extension of a site plan that was approved on February 2, 2007 for a 1,248 square foot maintenance building at their location.

In closing, she advised that she spoke with Mr. Hohenstein and asked him why the Center has not been able to move forward with the site plan during the past year and was informed there wasn't adequate funding in their budget to accommodate the requirements as established by the Virginia Department of Transportation to complete the project; however, he stated they have now raised enough funds to complete the project.

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, the Board approved the aforementioned request by Sevenoaks Pathwork Center for one (1) additional year, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye

William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Absent

CRIGLERSVILLE PROPERTY

Lisa Kelley, County Administrator, advised that three (3) proposals have been received from surveyors who appear to be interested in providing a survey of the property; she advised the following was received:

- 1) Proposal from a local surveyor;
- 2) Proposal from the City of Charlottesville;
- 3) Proposal from the County of Culpeper

Lisa Kelley, County Administrator, stated the proposal received locally and the one from Culpeper County were reasonably competitive in the terms of price; the local surveyor provided a proposal based upon the number of hours he would predict to get the job done – however, the ending total cost would be based on his hourly rate multiplied by the total hours the job will actually take. Secondly, she advised the proposal submitted by a vendor in Culpeper provided a lump sum bid that is on the high end of the estimate compared to the locally submitted bid, but the stated dollar figure will apply regardless of how long the project will actually take. Lastly, she advised the proposal received from the vendor in Charlottesville was the most expensive proposal and stated she plans to contact the local vendor and the one from Culpeper to attempt to “massage” the numbers just a bit more and ask a couple of questions. In closing, she stated this phase should be wrapped up shortly and underway so the contractor can begin work in January 2008.

V. R. Shackelford, III, County Attorney, asked if only a boundary survey is being sought for the location or a boundary easement location.

Lisa Kelley, County Administrator, advised the pricing sought will include a determination of the location of the building (i.e. to include the boundary, easements, flood plain, and major site improvements).

James L. Arrington asked if the piece across the road will be included, to which Lisa Kelley, stated the proposal was for the entire property.

William L. Crigler asked if the Board will need to approve the County Administrator to move forward with the proposal, to which Lisa Kelley, County

Administrator, advised the process falls within the County's "small purchase" procedures.

Bob Miller verbalized concerns as to whether the surveyor(s) will be doing the actual elevations in order to make a determination or if they plan to overlay what is designated on the maps provided by the insurance company to establish a flood plain.

James L. Arrington asked if it would be appropriate for the survey to only be done to the center of the roadway rather than moving across to determine the area along the river.

Lisa Kelley, County Administrator, advised the request will not be a problem; this will be relayed on paper and should not be a significant issue in the process.

V. R. Shackelford, III, County Attorney, suggested the plat provided by John Mike Powell be utilized as a basis for determining the area of the property.

William L. Crigler asked about a timeline to complete the process.

Lisa Kelley, County Administrator advised the contractors from Madison and Culpeper provided a timeline of four (4) to six (6) weeks (due to backlog); however, she stated she wanted to ask both firms if anything can be done to accomplish the work any sooner.

IN RE: PUBLIC COMMENT

Susan Cable was present and thanked the Board for listening to the concerns verbalized by citizens regarding the Criglersville Elementary School; she also read a summary of ideas for the facility (copy included in Minutes) and stressed the need to retain County-owned land for future usage.

Chairman, Eddie Dean thanked Susan Cable for her input and efforts.

George Beker was present and verbalized concerns about the Criglersville Property; he commented on the previously discussed market strategy and also suggested the Board move forward and advertise the property as soon as possible and within an acceptable time frame and move forward. Additionally, he stated the last time the Church brought forth an offer; however, there was a strong public outcry because the dollar amount involved seemed very small compared to the appraised value. He stated he hopes the property is basically worth what a buyer will pay for it regardless of the

assessed amount. In closing, he stated the proposal provided from the Craftsmen Group was relative good and feels if another Public Hearing will be held; he closed by stating the Board will either have to sell the property or retain it, but a final decision will need to be made.

Bob Miller stressed the work “appraisal” not be used when referring to an “assessment” as an appraisal has not been done on the building for quite some time.

Jenna Beker was present and stated the costs to renovate the Criglersville Elementary School is enormous; she advised perhaps there is another community group that would be interested and has not yet come forward; she advised there are grants available but doesn’t think of any manner in which grant funding would be offered for a community center in Madison County that is situated in one corner of the County, which doesn’t seem too realistic. In closing, she stated the assessment of the structure may be based on the square footage of the building and not taking into consideration it’s located in a flood plain and may issues (i.e. asbestos, septic problems, etc.) that may not make it feasible for public usage. She referred to comments made earlier with regard to the land being used for the community; however, she stated “the entire County paid for that school and not just the Criglersville community.” In closing, she stressed the fact that all County taxpayers will be affected by whatever decision the Madison County Board of Supervisors makes regarding the facility; she also stated she did not feel there are many commercial businesses that would want to be situated so far out in the County. She also commented on the proposal that was previously presented by the Craftsman Group and stated they should be exempt from any realtors fees should the County decide to utilize a realtor to oversee the marketing aspect of the property.

Bob Miller stated he did not believe the involvement of a realtor will impose a fee to someone who has already presented interest in the purchase of the property and that a fee will only be assessed if a new buyer comes forth.

Chairman, Eddie Dean asked if a procurement may be needed in this case.

Lisa Kelley, County Administrator, stated the determination of a procurement will depend upon whether the County enters into an agreement with one (1) specific realtor or whether the property is utilized as a multiple listing.

Susan Cable stated the Criglersville Elementary School has not been previously been widely advertised which is what her group is asking for; she also stated that public land does belong to the entire community.

James L. Arrington asked Susan Cable if the Committee for Criglersville Future had a timeline in mind, to which she suggested that due to the slow real estate market, the County should have a period of at least six (6) months before closing any bids on the property.

IN RE: PRESENTATION (LITTER REMOVAL)

Judy Ann Fray was present thanked the Madison County Board of Supervisors and Lisa Kelley, County Administrator, for the opportunity to appear at today's meeting.

Judy Ann Fray stated today she would like to recognize County citizens who have been diligent in adopting highways and helping clean litter from the roadways of Madison County; she advised that a campaign was initiated to "build community pride" and felt this was a very positive term to use and the results of the campaign were very positive.

In closing, she introduced the citizens in attendance that assisted with the litter program and advised there have been approximately (130) volunteers to assist with roadside clean up during the past year and have collected 34 cubic yards of litter off the roadways of Madison County.

Chairman, Eddie Dean thanked Judy Ann Fray and the volunteers for attending tonight's evening session.

ITEMS NOT LISTED ON THE AGENDA

PLANNING SESSION

Lisa Kelley, County Administrator, advised that she attended a Planning Session in Harrisonburg, Virginia along with William L. Crigler, Carl Pumphrey, and Erik Weaver that was presented by members of the government to identify ways that Madison County can better prepared for an emergency situation within the state of Virginia – she advised the presentation was interesting but not as informative as the program she attended in Fredericksburg, Virginia during the past year that provided more concrete ideas.

James L. Arrington stated that he added the Planning District VIII Transportation Committee meeting.

CENTRAL VIRGINIA REGIONAL JAIL

Chairman, Eddie Dean stated the County will eventually have to start funding a local share for the facility; he asked V. R. Shackelford, III, County Attorney, and Lisa Kelley, County Administrator, to research whether the facility should become an “Authority.”

James L. Arrington asked if the facility thought of utilizing bonds if they are declared an “Authority.”

Chairman, Eddie Dean suggested that V. R. Shackelford, III, County Attorney, and Lisa Kelley, County Administrator, research this issue and provide an update to the Board at the January Regular Meeting.

V. R. Shackelford, III, County Attorney, asked if the Central Virginia Regional Jail has any capital projects in the works, to which Chairman, Eddie Dean advised they currently have a \$10,000,000.00 expansion project underway.

Chairman, Eddie Dean also stated the Board doesn’t want to guarantee bonds for the entire five (5) County areas.

V. R. Shackelford, III, County Attorney, stated he was surprised the facility hasn’t provided some rationale to each County regarding the facility being known as an “Authority.”

Lisa Kelley, County Administrator, stated she did not think bond will be utilized to finance capital improvement projects – the funding will be needed to accommodate daily operations of the facility; she also suggested the County should not have to commit to financing bonds and if the facility desires to utilize bonds, they should contact multiple jurisdictions to get permission at various stages and also determine whether the amount of the bonds needed will exceed the annual cap that localities have in place.

William L. Crigler stated he and Lisa Kelley, County Administrator, attended the Christmas luncheon hosted by the Central Virginia Regional Jail.

COUNTY REASSESSMENT/BOARD OF EQUALIZATION

William L. Crigler stated several local citizens have complained about the reassessment process not being advertised; he also asked if the Board will need to discuss the Board of Equalization and get something advertised for this group.

V. R. Shackelford, III, County Attorney, stated there was an advertisement published with regard to the reassessment; however, nothing has been publicized about the Board of Equalization to date.

James L. Arrington asked since the Board of Equalization is appointed by the Court, does the Madison County Board of Supervisors have the responsibility to advertise for committee membership.

V. R. Shackelford, III, County Attorney, advised potential committee members are recommended to the Court by the Madison County Board of Supervisors.

Lisa Kelley, County Administrator, stated the Board discussed the issue regarding the Board of Equalization a little while back – it was decided the County would invite the three (3) citizens who served on the previous Board of Equalization to serve again, if they are willing; she stated if there are additional citizens who are interested in serving, their names will also be forwarded to the Court for recommendation to be on the Board of Equalization; she also advised the committee can consist of three (3) to (5) appointed members. In closing, she advised the three (3) previous members have volunteered to serve an additional time.

V. R. Shackelford, III, County Attorney, advised the recommended members are generally ones who have taken the required courses in order to be qualified for appointment to serve on the Board of Equalization.

Chairman, Eddie Dean stated if there are any citizens who are interested in serving, please have them forward their name for consideration.

V. R. Shackelford, III, County Attorney, also advised that one (1) out of every three (3) members must be experienced or have a working knowledge of building and land guidelines (i.e. builder, realtor, lawyer, etc.); he advised that Mr. Otis Gooding has met the aforementioned qualifications in the past as he is a retired profession – he stated it will also be useful to find someone else who is also capable of meeting the aforementioned qualifications.

Lisa Kelley, County Administrator, stated due to the aforementioned information, there was no advertisement because of the special requirements that are necessary to serve on the Board of Equalization; she advised if the Board has additional thoughts/recommendations to refer onto the Court, this should be initiated rather quickly in order to move forward.

Chairman, Eddie Dean stated there must be three (3) members present to take any type of action.

Bob Miller suggested the Board increase the committee membership on the Board of Equalization to five (5) members.

James L. Arrington stated he has some leads and forward the name(s) onto Lisa Kelley, County Administrator, later in the week.

V. R. Shackelford, III, County Attorney, also stated the committee members are paid for their services – he advised that Orange County paid about \$40.00 per hour .

After discussion, on motion of Bob Miller, seconded by James L. Arrington, the Board authorized Lisa Kelley, County Administrator to finalize all necessary requirements pertaining to the initiation of the Madison Board of Equalization and make a final recommendation to the Judge of the Court that will include names of the three (3) previous members (Otis Gooding, Al Martin, Charlie Robson) and the names of any additional qualified individuals desiring to serve, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Absent

Chairman, Eddie Dean called for a five (5) minute recess

CLARK POWERS ARRIVED @ 4:50 P.M.

Chairman, Eddie Dean reconvened the meeting.

IN RE: MINUTES

Chairman, Eddie Dean stated the Board needed to approve Minutes #38, #39, and #40.

After discussion, on motion of James L. Arrington, seconded by, William

L. Crigler, Minutes #38 were approved as presented and spread in Minute Book #16, page through , with the following vote recorded:

Eddie Dean	Abstain
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, Minutes #39 and #40 were approved as presented and spread in Minute Book #16, page through , with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

IN RE: OLD BUSINESS

Chairman, Eddie Dean asked if there was any “Old Business” and there was none to be discussed.

IN RE: NEW BUSINESS

CHRISTMAS LUNCHEON

Lisa Kelley, County Administrator, reminded the Board members of the Christmas luncheon scheduled for Wednesday, December 19, 2007 from 12:00 p.m. to 1:30 p.m. at the Madison County Volunteer Rescue Squad Building.

ORGANIZATIONAL MEETING FOR JANUARY 2008

Chairman, Eddie Dean advised the Board will need to schedule a time for the Organizational Meeting the first working day of January 2008.

Chairman, Eddie Dean stated the Madison County Planning Commission has a Joint Meeting scheduled for the first working day of January 2008 at 7:30 p.m.; he advised the Madison County Board of Supervisors usually meets on the first working day of January early in the morning to elect officers and established Committee meeting times and dates for the New Year.

Bob Miller stated he will be out of the Country during the first part of January 2008 and will not return until the afternoon of January 8, 2008 and will be unable to participate in any decision(s) that are made; additionally, he stated he will be absent from the Joint Meeting scheduled on January 2, 2008.

V. R. Shackelford, III, County Attorney, stated he will investigate the legalities pertaining to the aforementioned question and advise.

After discussion, on motion of William L. Crigler, seconded by Clark Powers, the Board scheduled the aforementioned meeting for Wednesday, January 2, 2008 at 8:30 a.m. to be held at 414 N. Main Street in the Town of Madison, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

IN RE: RESOLUTION (APPROVAL OF PROPOSED EMPLOYEE EVALUATION POLICY)

Chairman, Eddie Dean stated that documentation related to the proposed policy was presented to the Board by Lisa Kelley, County Administrator, during the previous Board Workshop Meeting.

Lisa Kelley, County Administrator, explained the change in a direction which stated that “every year on or before May 31st, each County employee (including each Department Head), shall be evaluated by their immediate supervisor.”

EMPLOYEE EVALUATION POLICY

1. Purpose.

The purpose of this policy is to encourage improvement and professional development of County employees. A more efficient working organization can be brought about by an understanding that employees and supervisors are all working together for a common purpose. The conduct of regularly scheduled employee evaluations tends to improve workplace relationships by bringing supervisors and employees into closer contact and producing mutual understanding of job duties and expectations.

2. Frequency of Performance Evaluations.

Every year, on or before May 31, each County employee, including each Department head, shall be evaluated by his immediate supervisor.

Additionally, the performance of every newly-hired County employee shall be evaluated at the mid-point of his probationary period, and again prior to the expiration of his probationary period.

3. Written Format.

The evaluation shall be set forth in writing, on a form approved by the County Administrator.

- a. Prior to commencing the formal evaluation for an employee, a supervisor will provide that employee with a self-evaluation form for completion.
- b. To determine the overall performance of an employee during the applicable ratings period, a supervisor will consider all relevant data, including observance of job performance, records of the quantity and quality of work performed, substantiated compliments or complaints received regarding the employee, information provided by the employee on his self-evaluation form, and any other relevant information. Facts and circumstances that form the basis of an evaluation should have been established during the course of the evaluation period, through the use of employee conferences, commendations, awards, counseling, written instructions, written reprimands, and disciplinary actions.
- c. Both strengths and weaknesses should be noted in the narrative portion of the evaluation. form.
- d. The rating of “satisfactory” is intended to be used to rate employees who are performing their duties in an efficient, acceptable manner. Sub-par performers should *never*, for any reason, be rated “satisfactory.” Similarly, only employees who, during the evaluation period, have demonstrated exceptional performance should receive a rating higher than “satisfactory”.

4. Review by Department Head.

If the evaluation is conducted by someone other than an employee’s Department head, the supervisor who has prepared the written evaluation shall review it with the Department head before it is finalized and presented to the employee.

5. Presentation of Evaluation to Employee.

The evaluator shall discuss each performance evaluation with the employee being evaluated, at an in-person conference with the employee. The evaluator shall:

- a. Provide the employee with a copy of the written performance evaluation, and review each of the specific provisions of the evaluation with the employee, explaining why the evaluator assessed each item as he did;

- b. Provide the employee an opportunity to comment on the evaluation and to give his opinion regarding his performance during the applicable period;
- c. Obtain the employee's signature on the evaluation form, to acknowledge that the information has been presented to the employee in person, and provide the employee with a copy of the evaluation form with the employee's signature; and
- d. Advise the employee that, if he disagrees with the results of the evaluation, or if there are any matters that he wishes to clarify or explain, he may submit within five (5) working days following the conference to his supervisor a written statement which shall be attached to the evaluation form and maintained in his personnel file along with that form.

6. Use of Evaluation Results.

- a. For any employee who does not receive at least a "satisfactory" rating, the employee's supervisor shall prepare a written plan of action, stating what is expected of the employee and milestone dates for achievement of results. The plan shall clearly advise the employee what will happen if the expected improvement is not achieved. The employee shall be required to sign the action plan, and to make a specific commitment to compliance. If the employee refuses, then he shall be terminated from employment.
- b. For employees who receive a "satisfactory" or better rating, the employee and his supervisor will discuss at their review conference specific measures or techniques by which further development can be achieved.
- c. Evaluation results will be used as a basis for determining the allocation of merit pay to employees, in years during which merit pay is available. Evaluation results may also be used as decision-making references in matters relating to promotion, probation, leaves of absence, and disciplinary action.

7. Review of Results with County Administrator. On or before June 10 each year, each Department head shall provide the County Administrator with a summary written report of the numerical results of the performance evaluation rating for each employee. Upon request by the County Administrator, the Department head will review the results of the evaluations in his Department with the Administrator in greater detail.

- 8. Confidentiality of Evaluation Results.** Performance evaluations shall be maintained by the County as confidential personnel records.

Approved by Resolution of the Board of Supervisors: December 11th, 2007

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, the Board adopted the proposed Resolution in conjunction with the Employee

Evaluation Policy as presented and recommended by the County Administrator, with the following vote recorded:

IN RE: RESOLUTION (APPROVAL OF PROPOSED PROCUREMENT POLICY)

Chairman, Eddie Dean asked if there were any questions pertaining to the Proposed Procurement Policy.

Lisa Kelley, County Administrator, advised the only change in the proposed policy is noted in section III. Small Purchase Procedures which requires purchasers are to check to see if a state contract price is available prior to making any purchase(s).

James L. Arrington stated there is a website which denotes state and national contract information (i.e. GSA).

Lisa Kelley, County Administrator, advised that she will try to find the website, to which James L. Arrington stated it is called "GSA Advantage."

PURCHASING PROCEDURES

I. Purpose

The purpose of these purchasing procedures is to provide County officials and employees with information and guidelines for the procurement of goods and services on behalf of the County. All purchases of goods and services shall be made in accordance with applicable provisions of the Virginia Public Procurement Act, §2.2-4300 et seq. of the Code of Virginia (1950), as amended from time to time ("VPPA").

II. Methods of Procurement

All County contracts with nongovernmental contractors must be awarded through a formal procurement process, i.e., competitive sealed bidding (Invitation for Bids, "IFB") or competitive negotiations (Request for Proposals, "RFP"),¹ *except for the following*:

- Contracts procured through arrangements with other government entities. Goods and services may be purchased, without a local IFB or RFP, through contracts currently held by other public bodies,² such as:
 - Cooperative procurement agreements with other localities
 - Contracts held by the Commonwealth of Virginia ("state contract" purchases)
 - Contracts awarded by the U.S. General Services Administration (GSA) or other U.S. government agencies

¹ Va. Code §2.2-4300 et seq.

² See Va. Code §2.2-4304

- Sole source contracts.³ Goods and services may be purchased without an IFB or RFP when there is only one source practicably available. If a County official or employee arranges for a sole-source contract, then the following is required:
 - A written determination signed by the County official or employee authorizing the purchase, documenting the reason(s) why there is only one source practicably available under the circumstances. A copy of this determination shall be provided to the County Administrator.
 - A written notice, prepared by the official or employee authorizing the purchase. The notice shall include a statement that only one source was determined to be practicably available, and identifying the item(s) being procured, the contractor selected, and the date on which the contract was or will be awarded. This notice shall be posted at the office of the County Administrator on the day the contract is awarded.
- Emergency contracts.⁴ Goods and services may be purchased without an IFB or RFP in cases of emergency. If a County official or employee arranges for an emergency contract, then the following is required:
 - Some competition, as much as is practicable under the circumstances (for example, obtaining quotes from more than one vendor)
 - A written determination signed by the County official or employee authorizing the purchase, describing the basis of the emergency. A copy of this determination shall be provided to the County Administrator.
 - A written notice, prepared by the official or employee authorizing the purchase. The notice shall include a statement that the contract is being awarded on an emergency basis, identify the contractor selected and the item(s) or service(s) being procured, and the date on which the contract was or will be awarded. This notice shall be posted at the office of the County Administrator on the day the contract is awarded.
- Purchases from Public Auction Sales.⁵ Goods, products and commodities may be purchased without an IFB or RFP from a public auction sale, including online public auctions, with the advance written approval of the County Administrator.
- Small Purchases. A contract for goods or services may be entered into without conducting an IFB or RFP, when the aggregate or sum of all phases of the contract will not exceed \$50,000 (contracts for goods and non-professional services) or \$30,000 (contracts for professional services). All purchases made under this category must be in accordance with the County's approved Small Purchase Procedures, set forth below.⁶

III. Small Purchase Procedures

Contract Price: <\$2,500

³ Va. Code §2.2-4303(E)

⁴ Va. Code §2.2-4303(F)

⁵ Va. Code §2.2-4303(I)

⁶ Va. Code §2.2-4303(G) and (H)

- Verbal or written price quotes are encouraged, but not required
- Use of local vendors/contractors is preferred
- Purchasing official or employee must verify that budgeted funds are available prior to purchasing goods or authorizing performance of services
- Written receipts of the purchases must be obtained and provided to the Finance Director
- State contract prices shall be checked

Contract Price: \$2,501 to \$10,000

- At least **two (2) verbal or written price quotes** must be obtained
- Use of local vendors/contractors is preferred
- State contract prices shall be checked
- Purchasing official or employee must verify that budgeted funds are available prior to purchasing goods or authorizing performance of services
- A purchase order, or other documentation authorized by the Finance Director, shall be prepared by the purchasing official or employee, documenting the specific goods or services to be provided, date(s) of delivery, the price of the goods or services, and any other specific terms or conditions applicable to the purchase
- A written invoice or statement must be received from the vendor/contractor, detailing the specific goods or services delivered, date(s) of delivery, and the amount(s) for which payment is requested.
- Within 15 days of the receipt of an invoice from a vendor/contractor, the purchasing official/employee must certify whether the invoice is suitable for payment. If there is a defect or impropriety in the invoice, or in the goods or services received, the official or employee shall notify the contractor/vendor in writing within that 15-day period.

Contract Price: \$10,001 to \$30,000

- The purchasing official or employee shall prepare a written “Request for Quotes” for approval by the County Administrator. The RFQ shall then be used to solicit written quotes from potential vendors
- **Three (3) written price quotes** shall be solicited from potential vendors/contractors
- State contract prices shall be checked
- Selection of a vendor/contractor shall be made upon a determination of the overall combination of quality, price and requirements/specifications that, in total, are optimal relative to the County’s needs. Where local and non-local vendors/contractors are otherwise equal, the local vendor/contractor is preferred
- A written contract document shall be utilized, in a form approved by the County Administrator. The Finance Director must certify in writing that budgeted funds are available, and the County Administrator must approve the terms and conditions of the purchase

- All contracts in excess of \$10,000 are subject to the requirements of Va. Code §2.2-4311 (prohibiting employment discrimination by contractors) and §2.2-4312 (requiring contractors to maintain drug-free workplaces).

Contract Price: \$30,001 through \$50,000

- The purchasing official or employee shall prepare a written “Request for Quotes” for approval by the County Administrator. The RFQ shall then be used to solicit written quotes from potential vendors
- **Four (4) written price quotes** shall be solicited from potential contractors⁷
- State contract prices shall be checked
- Selection of a vendor/contractor shall be made upon a determination of the overall combination of quality, price and specifications of the required goods or services, that in total are optimal relative to the County’s needs. Where local and non-local vendors/contractors are otherwise equal, the local vendor/contractor is preferred
- A written contract document shall be utilized, in a form approved by the County Administrator. The Finance Director must certify in writing that budgeted funds are available, and the County Administrator must approve the terms and conditions of the purchase
- All contracts in excess of \$10,000 are subject to the requirements of Va. Code §2.2-4311 (prohibiting employment discrimination by contractors) and §2.2-4312 (requiring contractors to maintain drug-free workplaces)

IV. Contract Pricing Arrangements

- Except in case of emergency affecting the public health, safety or welfare, no contract may be awarded on the basis of cost plus a percentage of cost.
- Contracts may be awarded on a fixed price or cost reimbursement basis, or any other basis that is not specifically prohibited.

V. Required Payment Clauses

Contracts must contain the following clauses⁸:

- A payment clause that requires that, prior to receipt of any payment from the County: (i) individual contractors must provide their social security numbers and (ii) proprietorships, partnerships and corporations must provide their federal employer identification numbers.”
- An interest clause that states “Unless otherwise provided under the terms of this contract, interest shall accrue at the rate of one percent per month.”
- For any contracts awarded to a main contractor who will utilize subcontractors, the following payment clauses are required:
 - A payment clause that obligates the contractor to take one of the two following actions, within seven (7) days after receipt of amounts paid to the contractor by the County for work performed by the subcontractor: (i) pay the subcontractor for the proportionate share of the total payment received from the County attributable to the work performed by the

⁷ Va. Code §2.2-4303(G)

⁸ Va. Code §2.2-4354

subcontractor, or (ii) notify both the County and the subcontractor in writing of the contractor's intention to withhold all or a part of the subcontractor's payment and the reason(s) for the withholding

- An interest clause obligating the contractor to pay interest to the subcontractor on all amounts owed by the contractor that remain unpaid after seven (7) days following receipt by the contractor of payment from the County for work performed by the subcontractor (except for amounts permissibly withheld)
- A payment clause obligating the contractor to include in each of its subcontracts a provision requiring each subcontractor to include or otherwise be subject to the same payment and interest requirements with respect to each lower-tier subcontractor.

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VI. No Discrimination

In the solicitation or awarding of contracts, no County official or employee shall discriminate against a bidder or offer because of race, religion, color, sex, national origin, age, disability or any other basis prohibited by federal or state law relating to discrimination in employment.

VII. Contracts for Construction

- No County official or employee shall allow any contractor to perform any work on a County construction project, until the contractor has provided evidence that he has obtained, and will maintain for the duration of the work, workers' compensation coverage required by Virginia law. If subcontractors are being utilized, the contractor must be required to provide evidence that each of its subcontractors has obtained and will maintain the required workers' compensation coverage for the duration of the work performed by the subcontractor.⁹
- Every solicitation, RFQ, IFB and RFP for construction services must require contractors to submit their contractor's license or certificate number as part of their responses. No price quote, bid or proposal from a construction contractor shall be given consideration unless the contractor has provided his license or certificate number.¹⁰
- Every construction contractor shall be required to provide evidence of its general liability insurance coverage, prior to commencement of any work on a County construction contract. If subcontractors are being utilized, the main contractor must be required to provide evidence of the subcontractors' general liability insurance coverage prior to allowing them to commence any work.

VIII. Formal Procurement Transactions (IFBs and RFPs).

- An IFB process *must* be used for construction contracts, except in a limited number of circumstances authorized by state law.¹¹

⁹ Va. Code §2.2-4332

¹⁰ Va. Code §54.1-115(A)(6)

¹¹ Va. Code §2.2-4303(D)

- An RFP process (competitive negotiation) *must* be used for “professional services”, if the aggregate or sum of all work to be performed by the contractor will exceed \$30,000 (e.g., contracts for accounting, architecture, landscape architecture, engineering services, land surveying).¹² An RFP process *may* be used, under certain circumstances, for procurement of insurance, construction or other contracts, when authorized by the VPPA.
- IFB and RFP documents must be approved in advance by the County Administrator
- The County Administrator shall be provided a list of the person(s) and businesses to whom IFBs or RFPs have been sent, and a copy of the public notice of the IFB or RFP shall be posted at the County Administrator’s office.
- Whenever IFBs or RFPs are issued, notice of the procurement transaction shall be sent to potentially qualified businesses selected from a list published by the Virginia Department of Minority Business Enterprise.¹³
- In the case of a tie bid, preference will be given to goods, services and construction produced within Madison County or provided by persons, firms or corporations having principal places of business in Madison County, if such a choice is available; otherwise, a tie shall be decided by lot unless the provisions of Virginia Code §2.2-4324 applies (preference for Virginia products and firms)

IX. Debarment

The County may, in the public interest, debar a prospective contractor (including a prospective subcontractor) for any of the causes listed below, using procedures described in this policy. The existence of a cause for debarment, however, does not necessarily require that a contractor be debarred. The seriousness of the contractor's acts or omissions and any mitigating factors should be considered in making any debarment decision.

A prospective contractor may be debarred for any of the following causes:

- Conviction of, or civil judgment establishing the contractor's:
 - Commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public contract or subcontract;
 - Violation of federal or state antitrust statutes relating to the submission of offers;
 - Commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property; or
 - Commission of any other offense indicating a lack of business integrity or business honesty that seriously and directly affects the present responsibility of a government contractor or subcontractor.
- Violation of the terms of a government contract or subcontract so serious as to justify debarment, such as willful failure to perform in accordance with the terms

¹² Va. Code §2.2-4303(B)

¹³ Va. Code §2.2-4310

of one (1) or more contracts, or a history of failure to perform, or of unsatisfactory performance of one (1) or more contracts.

- Debarment by a federal, state or local government, a public authority, or other agency or entity subject to public procurement laws and requirements.
- Any other cause of so serious or compelling a nature that it affects the present responsibility of a government contractor or subcontractor.

The following procedures governing the debarment decision-making process are designed to be as informal as practicable, consistent with principles of fundamental fairness:

- *Notice to contractor.* Debarment shall be initiated by the County Administrator advising the prospective contractor in writing that debarment is being considered. This notice shall be provided to the contractor by hand-delivery or by certified mail, return receipt requested. The notice shall include the reasons for the proposed debarment in terms sufficiently detailed to put the contractor on notice of the conduct or transaction(s) upon which the debarment is based, and shall identify the specific period of debarment under consideration. Unless a response is received from the prospective contractor within thirty (30) days of the date of this notice, the County Administrator's decision shall be final. For the purposes of this subsection the "date of the notice" shall be deemed to be the date on which the notice is hand-delivered to the contractor or is deposited in the United States Mail.
- *Opportunity of contractor to respond.* The prospective contractor or his authorized representative may submit to the County Administrator, in writing, and within thirty (30) days of the date of the notice described in subparagraph (1), any information or argument that the contractor deems relevant to the proposed debarment, including, without limitation, any specific information that raises a genuine dispute as to a fact that is material to the County's findings or conclusions. Following timely receipt of information from the contractor, the County Administrator shall review the proposed debarment and shall, within fifteen (15) days thereafter, render a final determination. During the fifteen-day review period, the prospective contractor shall provide the Administrator with such additional information as she may request in order to complete her review of the proposed debarment.
- *Appeals.* A final decision of the County Administrator may be appealed by the prospective contractor by initiating legal action as provided within the Virginia Public Procurement Act.
- *Period of debarment.* A debarment shall be and remain effective for a period commensurate with the seriousness of the cause, as determined by the purchasing manager in his discretion.

X. Ethics in Public Contracting Requirements

- The provisions of Virginia Code §2.2-4367 et seq. (Ethics in Public Contracting) apply to procurement transactions conducted by County officials and employees. Among the prohibitions of this law are the following:
 - No County employee having official responsibility for a procurement transaction may participate in the transaction on behalf of the County, when the employee: (i) is contemporaneously employed by an offer or contractor involved in the transaction; (ii) the employee, the employee's business partner, or any member of the employee's immediate family holds a position with an offer or contractor (e.g., corporate officer, director, trustee, partner, etc.), or is employed in a capacity involving personal and substantial participation in the procurement transaction, or owns or controls an interest of more than 5%; (iii) the employee, the employee's business partner, or any member of the employee's immediate family has a monetary interest arising from the procurement transaction; or (iv) the employee, the employee's business partner, or any member of the employee's immediate family is negotiation, or has an arrangement concerning, prospective employment with the offer or contractor.
 - No person who, for compensation, has prepared any portion of this IFB shall (i) submit a bid, or (ii) disclose to any other potential bidder information concerning the procurement transaction that is not otherwise available to the general public, unless the County has determined in advance that exclusion of such person would limit the number of potential qualified bidders in a manner contrary to the best interests of the County.
- Certain contractual relationships are generally prohibited by Virginia's State and Local Government Conflict of Interests Act (§2.2-3100 et seq.), such as: (i) no officer or employee of County government may have a personal interest in a contract with the agency or department of which he is an officer or employee (other than his own employment contract), and (ii) no officer or employee of the County government may have a personal interest in a contract with any other agency or department of the County government, unless the contract was awarded after an IFB or RFP process.

XI. Administration

The County Administrator shall have the authority to establish administrative procedures consistent with the Virginia Public Procurement Act, as she deems necessary to ensure that the County may obtain high quality goods and services at a reasonable cost; that all procurement transactions are conducted in a fair and impartial manner; and that all qualified vendors have access to public business.

After discussion, on motion of James L. Arrington, seconded by Clark Powers, the Board adopted the Resolution in conjunction with the proposed Purchasing Procedures as presented and recommended by the County Administrator, with the following vote recorded:

Eddie Dean

Aye

James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

IN RE: REQUEST FOR INPUT ON PROPOSED LAND USE (Commissioner of Revenue)

Chairman, Eddie Dean stated a chart has been provided entitled “Ranges of Use – Values for Land: Madison and Nearby Counties [Current & 2008 Recommended]).

Lisa Kelley, County Administrator stated that each year the Commissioner of Revenue has to establish what the land use values will be for the acreages indicated in the Land Use Program; she stated the current Commissioner has always consulted with the Madison County Board of Supervisors for input and recommendations on this issue; however, she advised in terms of determining the actual valuation figure, the Commissioner has to consider a number of things (i.e. State Land Evaluation Act) and information about actual agricultural and other land use values. She also advised that actual values are based on crop range and not the income that people are basing on cattle and other animals. In closing, she stated there does not appear to be any particular urgency for a recommendation to be made tonight or in January if the Board does not feel enough information has been provided in order for a feasible recommendation to be made.

Lisa Kelley, County Administrator stated that she met with William L. Crigler and Brad Jarvis to attain suggestion – she also advised another meeting should be held to include Gale Harris, Commissioner of Revenue, in order to discuss what the recommended values represent and include the reassessed value and how this affects the land use values for the New Year.

William L. Crigler asked about the different classifications of land acreage throughout the County and what impact (if any) would be created if changes were made.

Lisa Kelley, County Administrator, stated that Gale Harris, Commissioner of the Revenue, indicated that she was unable to provide the types of acreage in the County broken down by soil classifications; however, if a search is made on the internet

via the State Land Advisory Evaluation Council, one can print off a worksheet which shows how their division figured the recommended value for each County. Additionally, she advised the worksheet lists acreage for the first four (4) types of classifications listed only (nothing listed for types 5 through 8).

James L. Arrington asked if land located in conservation areas be included in the Land Use Program, to which he was advised “yes.”

Lisa Kelley, County Administrator, stated part of the material she found on this issue on a website is contained in a manual that lists general opinions on continuous parcels, acreage requirements, etc.

Chairman, Eddie Dean advised that William L. Crigler and Bob Miller have expressed an interest to work on this issue along with Gale Harris, Commissioner of the Revenue and Lisa Kelley, County Administrator, and Brad Jarvis, Extension Agent, and will report back to the Board.

William L. Crigler stated it will take some time to gather the data and prepare an analysis before the Board can make a feasible comparison on this issue.

Lisa Kelley, County Administrator, also stated that Brad Jarvis stated his office could prepare a spreadsheet but will need someone to enter the data as the Land Use Program applications are completed.

William L. Crigler stated the Land Use Program is a five (5) year process; however, Lisa Kelley, County Administrator, indicated the older forms can be pulled and the data entered into a spreadsheet format that would collect all data and translate it into a calculation for recommended value(s).

Bob Miller stated the existing County GIS System can provide some of the information being discussed today with the exception of soil classification and acreage amount(s); he also stated the current method needs to include a way to modify (or add in) orchards and forestland and not just animals.

William L. Crigler stated any new changes will need to be explained to the local citizens.

Chairman, Eddie Dean stated things would be a lot simpler if personal property taxes were eliminated and only sales tax was charged.

Bob Miller commented about a letter he received from a local citizen regarding the purchase price of his property and the assessed value.

IN RE: KEMPER MANSION

Lisa Kelley, County Administrator, stated that John Hunton, Capital Projects Coordinator, is currently working on the specifications to have the Kemper Mansion painted; this will be advertised later in the spring of 2008.

IN RE: ADMINISTRATION BUILDING

Lisa Kelley, County Administrator, stated that John Hunton, Capital Projects Coordinator, will begin working on a draft scoping that can be utilized in the connection with an architect to begin working on the expansion of the Administration Building – would like to get an RFP advertised early in 2008 so designs can be implemented.

IN RE: HOOVER RIDGE BALL FIELDS

James L. Arrington asked how work was progressing at Hoover Ridge.

Lisa Kelley, County Administrator, stated that several fields are on grade or almost on grade; they are working on the last few multi-purpose fields that are situated along the end of the roadway to the property. She also advised the contractors are working to see if the property will balance in conjunction with the soil to bring some of the ball fields up to grade. Overall, where dirt was removed from some areas during the project, the dirt will be moved to other places and in some areas there may not be quite enough dirt due to the cuts that were made in the land.

William L. Crigler asked about the water usage at the site.

Chairman, Eddie Dean stated the water truck has not been utilized at all during the project.

Lisa Kelley, County Administrator, stated the contractor was quite surprised at the level of moisture the clay at the site had retained.

Chairman, Eddie Dean stated some water has been used from the Rapidan Service Authority for hydro-seeding; he advised that one (1) field is completed with the exception of some minor work that will need to be completed on the embankment – additional fields should be completed within the next week, weather permitting.

Chairman, Eddie Dean also stated that mulch will probably be put down and the seeding will be done in April 2008 by Ross Shifflett – he will also take care of attaining the soil samples at the site. In closing, he stated that straw will be put in place to hold down the soil until Bermuda seed can be in place in April 2008.

Lisa Kelley, County Administrator, advised that based on conversations, it appears that Bermuda grass sounds like a good option as long as it doesn't pose a hardship for maintenance (cutting).

Chairman, Eddie Dean stated the best way to get the Bermuda grass to spread is to cut it at one-half inch and most rotary mowers do not do an exceptional job with maintaining this type of grass.

In closing, he stated that Bermuda grass does provide a good turf and doesn't grow as tight or rapid as some other forms of grass.

William L. Crigler asked if the easement has been attained to hook up to the well, to which Lisa Kelley, County Administrator, stated "yes." She also advised that Carlyle Weaver of Weaver Works, Inc. will be doing the hook-up.

William L. Crigler asked if the County will need to contact the Virginia Department of Transportation in order to move forward with installing a parking lot after the fields are fully established.

Chairman, Eddie Dean stated the Board will need to begin exploring that option.

Chairman, Eddie Dean recessed the meeting until 7:30 p.m.

7:30 P.M.: Meeting reconvened with Chairman, Eddie Dean calling the meeting to order.

IN RE: PUBLIC COMMENT

Chairman, Eddie Dean opened the floor for public comment and there was no public comment presented.

IN RE: COMMISSIONER OF REVENUE (Gale Harris)

Gale Harris, Commissioner of the Revenue, advised that she has been informed that EDU taps cannot be taxed because they are considered intangible rights – the only time they can be taxed is if they are sold for a profit (hooked up to a property)

and a fee will be assessed for capital gain.

Bob Miller asked whether these taps can be sold off, to which V. R. Shackelford, III, County Attorney, advised they cannot as they belong to the property.

Gale Harris advised that a parcel that does not have a septic, well or any water running is not taxed as such; however, if a structure is built and the well is being utilized, the property will be assessed as such.

Concerns were raised about Virginia Broadband and whether they were being taxed.

Bob Miller stated the company has about \$18,000.00 worth of installed equipment in Madison County and they are being taxed as personal property.

Lisa Kelley, County Administrator, stated that Virginia Broadband has represented to the Virginia Department of Transportation that they are a public service corporation; however, she was unsure whether they also provided telephone service.

Chairman, Eddie Dean advised that Virginia Broadband does provide telephone service (voiceover IP).

Gale Harris, Commissioner of the Revenue, asked about the Board of Equalization and whether the three (3) citizens who previously served will be doing so again; if so, they will not need to attend additional training and a representative will come to Madison County to meet with them and provide an overview; however, any new members will have to attend formalized training.

Lisa Kelley, County Administrator, stated they will be along with about two (2) additional citizens.

V. R. Shackelford, III, County Attorney, advised the previous order from the Judge mandated that anyone desiring to serve on the Board of Equalization needed to have the required training prior to being able to serve.

Gale also advised that land values must be completed in time for the land books to be printed in September 2008.

Chairman, Eddie Dean asked about the amount of revenue generated from land use parcel during the past year, to which Gale Harris, Commissioner of the Revenue, advised that \$2,611,251.00 was deferred in tax revenue and the total land value for 2007 was \$1,009,594,200.00.

Gale Harris, Commissioner of the Revenue, stated that more accurate measures need to be taken in order to determine soil types; she also advised there is no Class I soil in Madison County.

In closing, Gale Harris, Commissioner of the Revenue, stated she would like to have all the necessary information in place before February 2008.

Chairman, Eddie Dean asked if part of the data can be entered in and the remainder be done at a later time after the rates are established for value.

Bob Miller asked if SELAC values are based on crop land, then there must be concern about soil classifications; however, it does not appear consideration is being taken regarding the fact that most of Madison County is animal farming and not major crop farming. In closing, he asked if there is a reason to be using soil classification at all.

William L. Crigler stated that although most of the land doesn't contain crops doesn't mean that it does not have the potential to in the future.

William L. Crigler suggested a meeting take place along with Brad Jarvis, Lisa Kelley, and Gale Harris in order to determine future projections.

Bob Miller stated he will check with John Schravonski of the Department of Forestry to see if the GIS System can calculate the area of a parcel that is in different classifications.

William L. Crigler asked if there was any revenue generated from additional parcels.

Gale Harris, Commissioner of the Revenue, advised the only additional funds received were from parcels that incurred fees due during the cycle period.

IN RE: INDUSTRIAL PARK/TRANSFER STATION

Chairman, Eddie Dean advised that he has conversed with representatives that are still interested in developing at the Transfer Station (i.e. leasing a building with a 10-year lease); he advised the County will have the opportunity to establish a lease rate that will allow for the building to be paid for in ten (10) years.

James L. Arrington asked what type of business is being anticipated, to which Chairman, Eddie Dean advised as being an engineering firm that inserts pins into cable that is utilized to build bridges.

Chairman, Eddie Dean advised that a 2,500 square foot area is all that will

be needed.

James L. Arrington asked if the firm is expecting the County build the structure for them, to which Chairman, Eddie Dean advised that is preferred; however, the leasing rate can be established to provide sufficient cover for the County and knowing there will have to be interest, etc. involved.

In closing, Chairman, Eddie Dean stated there is enough acreage at the site to allow for a comfortable buffer at the property so this venture will not be a noise nuisance to the neighbors.

Chairman, Eddie Dean stated there is some state funding for industrial roads in place at the present time.

Bob Miller also advised there are also low interest loans available from the state for structures being built as being discussed.

Chairman, Eddie Dean asked V. R. Shackelford, III, County Attorney, if Madison County could qualify for low-interest loans.

V. R. Shackelford, III, County Attorney, asked if the County will be looking to join with another locality to get the full benefit.

Chairman, Eddie Dean stated he also believed that VACo provided bond funding for projects.

James L. Arrington asked if the site will need to be rezoned.

V. R. Shackelford, III, County Attorney, asked about public water and sewer at the site.

Chairman, Eddie Dean advised this will not be needed as there will only be about fourteen (14) employees and the only water utilized will be for the employees at the site.

Lisa Kelley, County Administrator, stated that she will ask John Hunton, Capital Projects Coordinator to provide an analysis of the venture.

Chairman, Eddie Dean stated the company is looking to relocate to Madison County in January 2009.

William L. Crigler asked whether the Board will need to develop a master plan to provide guidance as to what is best situated in specific areas on the property.

Lisa Kelley, County Administrator advised that she spoke with John

Hunton about that issue and feels he can perform some of the level of scoping; she advised that he suggested this type of master planning be hired out to a consultant; however, she advised before making this step, the Board will need to be sure this what will be done and move forward with implementing a design for the usage of the property.

Bob Miller asked if it might be feasible to attain a graduate student to perform some topographic design as was done with Virginia Tech students for Hoover Ridge.

Chairman, Eddie Dean stated he felt that John Hunton could provide a fairly good idea as to what areas can be developed along with some buffers, etc.;

Lisa Kelley, County Administrator, advised the planning process will need to include reorienting the traffic at the Transfer Station.

James L. Arrington asked about the traffic that might be added with the additional business.

Lisa Kelley, County Administrator, advised that a traffic analysis can be completed in January 2008.

Lisa Kelley, County Administrator, verbalized concerns about the shooting range and informed the Board that Erik Weaver, Sheriff, would like to have something on the Madison County Planning Commission agenda by February 2008 with regard to the existing range. She advised that he likes to certify the deputies more than once a year; however, although this is the normal requirement.

James L. Arrington asked if zoning the site as light industry is feasible, to which Lisa Kelley, County Administrator, advised she did not feel this was allowed as these ranges are only allowed now by way of a special use permit.

Lisa Kelley, County Administrator, advised the entire property can be categorized as light industrial and the County could add a category for a shooting range.

Bob Miller advised the proper way might be to change the zoning of the Transfer Station to M-1 and at the same time add a category that will allow for the shooting range by right in the same zone, or in an additional zone.

Lisa Kelley, County Administrator, advised that a copy of the report has been provided to each Board member; she also advised there will be a good number of law enforcement personnel who will need to be re-certified in the late spring –early

summer. She advised the range is normally utilized for a very few number of days during the year.

In closing, she advised he has the ability to get all law enforcement certified locally and there will be additional expense if deputies have to travel to another locality in order to be certified.

In closing, James L. Arrington stated the County has an asset at the shooting range and rezoning is all that will be required.

Chairman, Eddie Dean asked if anything has been heard from the Madison County Schools in reference to the meeting the Board attended.

Lisa Kelley, County Administrator, advised that she spoke with Dr. Brenda Tanner and the School system is looking to develop an RFP to engage the services of an individual to move forward to the next step of planning.

Chairman, Eddie Dean asked if there was any reason as to why the Board couldn't request to know the percentage of budget funding the School has utilized.

Lisa Kelley, County Administrator, advised that she is in the process of trying to attain periodic expenditure detail reports from the School system; however, no response has been received to date. Additionally, she advised Dr. Tanner the County is to be provided these reports at least once a year, but would prefer to have them quarterly; she also advised the "positions" that Dr. Tanner spoke of earlier may or may not be fully funded by the State and depending on what the State does with other "positions" that have not previously been required, the County may need to assist with the costs involved.

V. R. Shackelford, III, County Attorney, verbalized concerns as to what the County can do to offset the costs.

Bob Miller advised the County could readjust values of property; however, the Commissioner of the Revenue Office is responsible for supplying the State with property values and income per household as generated from income statements – he stated the basis is projected on figures from 2005 and the reason the changes are being seen is due to the reassessment values. In closing, he stated within the next four (4) years, the County may see another similar jump in figures based on the existing reassessment values; essentially, the current composite index is based on figures from 2005.

Chairman, Eddie Dean advised there was a citizen whose current reassessed value was incorrect; a change was made immediately after meeting with representatives from Blue Ridge Appraisal, LLC.

Bob Miller stated the Budget Office website contains all information utilized in the formula to determine the composite index.

Bob Miller also advised there is a report compiled by the State that discusses the capacity of localities to collect revenue from its citizens along with the expense of performing this task.

In closing, Bob Miller advised that Madison County reports the market value of County real estate to the State and the County only collects tax on \$2,000,000,000.00 of the value because of the Land Use Program; he stated it appears the rural counties have been biased as a result of the existing formula that is being utilized by the State.

With no further action being required by the Board, on motion of Clark Powers, seconded by James L. Arrington, Chairman, Eddie Dean adjourned the meeting, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Abstain
Clark Powers	Aye

Date: December 12, 2007